

Mail Stop Interference
P.O. Box 1450
Alexandria, VA 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Paper 1
Filed: April 18, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

C. DOUGLASS THOMAS and ALAN E. THOMAS
Junior Party
(Patent Nos. 5,974,557, 6,216,235 & 6,487,668),

v.

JACK D. PIPPIN
Senior Party
(Application 10/464,482).

Patent Interference No. 105,802 (JL)
(Technology Center 2100)

DECLARATION – Bd.R. 203(b):

1 "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x", 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 Part A. Declaration of interference

2 An interference is declared (35 U.S.C. § 135(a)) between the above-
3 identified parties. Details of the application(s), patent (if any), reissue
4 application (if any), count(s) and claims designated as corresponding or as not
5 corresponding to the count(s) appear in Parts E and F of this DECLARATION.

6 Part B. Judge managing the interference

7 Administrative Patent Judge Jameson Lee has been designated to
8 manage the interference. Bd. R. 104(a).

9 Part C. Standing order

10 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11 DECLARATION. The STANDING ORDER applies to this interference.

12 Part D. Initial conference call

13 A telephone conference call to discuss the interference is set for 2:00
14 p.m. on June 1, 2011 (the Board will initiate the call).

15 No later than four business days prior to the conference call, each party
16 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd.
17 R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18 A sample schedule for taking action during the motion phase appears as
19 Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the
20 schedule prior to the conference call and to agree on dates for taking action. A
21 typical motion period lasts approximately eight (8) months. Counsel should be
22 prepared to justify any request for a shorter or longer period.

1 Part E. Identification and order of the parties

Junior Party

Named Inventors: C. DOUGLASS THOMAS, Campbell, California

ALAN E. THOMAS, Ocean City, New Jersey

Involved Patents: 5,974,557, ('557) issued October 26, 1999

Method and system for performing thermal and power management for a computer

Patent: 6,216,235, ('235) issued April 10, 2001

Thermal and power management for computer systems

Patent: 6,487,668. ('668) issued November 26, 2002

Thermal and power management to computer systems

Assignee (all): None

Senior Party

Named Inventor: JACK D. RIBBIN, Portland, Oregon

Inventor Applications - 10/464,482, filed Jan. 10, 2002

Title: Method and apparatus for programmable thermal
surgery using a heating wire

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

Part F. Count and claims of the parties

Count 1

Claim 34 of Pippin's Application 10/464,482

The claims of the parties are:

Thomas: '557- 1-47

‘235-1-54

‘668-1-52

Pippin: 34

The claims of the parties which correspond to Count 1 are:

Thomas: '557- 1-47

‘235-1-54

‘668-1-52

Pippin: 34

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

Thomas: none

Pippin: none

The parties are accorded the following benefit for the Count:

Thomas: Application 08/262,754, filed June 20, 1994, now Patent 5,752,011

1 Pippin: Application 08/636,024, filed April 19, 1996,
2 now Patent 7,216,064;

3
4 Application 08/401,473, filed March 9, 1995;

5
6 Application 08/124,980, filed September 21,
7 1993
8
9

10 Part G. Heading to be used on papers
11

12 The following heading must be used on all papers filed in this interference,

13 see SO ¶ 106.1.1:

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Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/Jameson Lee/
Administrative Patent Judge

Enc.

Copy of STANDING ORDER

12 Revised 3 January 2006

cc (via overnight delivery):

Attorney for Thomas:

C. DOUGLASS THOMAS
1193 CAPRI DRIVE
CAMPBELL CA 95008

Attorney for Pippin:

ROTHWELL, FIGG, ERNST & MANBECK, P.C.
1425 K STREET, N.W.
SUITE 800
WASHINGTON DC 20005